

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**United States of America**

**v.**

**JUDGMENT IN A CRIMINAL CASE**

(For Offenses Committed on or After November 1, 1987)

**Isaac Enrique Guillen-Rodriguez**

**No. 08-15571-001M-SD**

Citizen of Mexico

Richard L. Juarez (AFPD)  
Attorney for Defendant

USM#: 75342-208

DOB: 1972

ICE#: A85 626 913

**THE DEFENDANT ENTERED A PLEA OF** guilty on 4/3/2008 to Count TWO of the Complaint.

**ACCORDINGLY, THE COURT HAS ADJUDICATED THAT THE DEFENDANT IS GUILTY OF THE FOLLOWING OFFENSE(S):** violating Title 8, USC § 1325, Attempted Illegal Entry, a Petty offense, as charged in Count TWO of the Complaint.

**IT IS THE JUDGMENT OF THE COURT THAT** the defendant is hereby committed to the custody of the Bureau of Prisons for a term of FIFTEEN (15) DAYS on Count TWO, with credit for time served.

**IT IS FURTHER ORDERED** that all remaining counts are dismissed on motion of the United States.

**CRIMINAL MONETARY PENALTIES**

The defendant shall pay to the Clerk the following total criminal monetary penalties:

**SPECIAL ASSESSMENT:** \$Remitted

**FINE:** \$

**RESTITUTION:** \$

If incarcerated, payment of criminal monetary penalties are due during imprisonment at a rate of not less than \$25 per quarter and payment shall be made through the Bureau of Prisons' Inmate Financial Responsibility Program. Criminal monetary payments shall be made to the Clerk of U.S. District Court, Attention: Finance, 880 Front Street, San Diego, California 92101. Payments should be credited to the various monetary penalties imposed by the Court in the priority established under 18 U.S.C. § 3612(c). The total special assessment of \$Remitted shall be paid pursuant to Title 18, United States Code, Section 3013 for Count TWO of the Complaint.

Any unpaid balance shall become a condition of supervision and shall be paid within prior to the expiration of supervision. Until all restitutions, fines, special assessments and costs are fully paid, the defendant shall immediately notify the Clerk, U.S. District Court, of any change in name and address. The Court hereby waives the imposition of interest and penalties on any unpaid balances.

**IT IS FURTHER ORDERED** that the Clerk of the Court deliver two certified copies of this judgment to the United States Marshal of this district.

The Court orders commitment to the custody of the Bureau of Prisons.  
The defendant is remanded to the custody of the United States Marshal.

**08-15571-001M-SD**

Page 2 of 2

~~USA~~ vs. Isaac Enrique Guillen-Rodriguez

Date of Imposition of Sentence: **Thursday, April 3, 2008**

Date 4/3/2008

JAY R. IRWIN, United States Magistrate Judge

**RETURN**

I have executed this Judgment as follows: \_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_, the institution designated by the Bureau of Prisons, with a certified copy of this judgment in a Criminal case.

United States Marshal  
08-15571-001M-SD -

By: \_\_\_\_\_  
Deputy Marshal

DATE: 4/3/2008 CASE NUMBER: 08-15571-001M-SD

**PLEA/SENTENCING MINUTES**

USA vs. Isaac Enrique Guillen-Rodriguez

U.S. MAGISTRATE JUDGE: JAY R. IRWIN Judge #: 70BK

U.S. Attorney \_\_\_\_\_ INTERPRETER REQ'D Ricardo Gonzalez  
LANGUAGE: Spanish

Attorney for Defendant Richard L. Juarez (AFPD)

DEFENDANT: ☒ PRESENT ☐ NOT PRESENT ☐ RELEASED ☒ CUSTODY

DOA \_\_\_\_\_ ☐ Complaint Filed ☐ Appointment of counsel hearing held  
☐ Financial Afdvt taken ☐ No Financial Afdvt taken ☐ Financial Afdvt sealed  
☐ Initial Appearance

**DETENTION HEARING:** ☐ Held ☐ Cont'd ☐ Reset ☐ UA  
Set for: before:

- ☐ Defendant ordered temporarily detained in the custody of the United States Marshal  
☐ Defendant ordered released (see order setting cond of rel) ☐ Bail set at \$ \_\_\_\_\_  
☐ Defendant continued detained pending trial ☐ Flight Risk ☐ Danger

**PLEA HEARING:** ☒ Held ☐ Cont'd ☐ Reset  
Set for: before:

- ☐ Consent to be tried by a Magistrate Judge signed ☐ Class A Misd ☐ Class B Misd ☐ Class C Misd  
☐ Consent of Defendant ☐ Information filed \_\_\_\_\_ ☐ Complaint filed \_\_\_\_\_  
☒ Defendant sworn and examined by the Court ☒ Plea of Guilty ☐ Not Guilty ☒ Entered to Counts TWO  
☐ Defendant states true name to be \_\_\_\_\_. Further proceedings ORDERED in defendant's true name.  
☒ Plea of Guilty entered as to Ct(s) TWO of the ☐ Information ☐ Indictment ☒ Complaint  
☒ Court recommends/or accepts defendant's plea and finds plea to be freely and voluntarily given.  
☐ Plea agreement: ☐ Lodged ☐ Filed ☐ Sealed  
☐ Court does not accept defendant's plea of guilty because \_\_\_\_\_  
☐ PSI ORDERED ☐ EXPEDITED ☒ PSI waived ☐ Time waived for passage of sentence  
☐ Continued for sentence to \_\_\_\_ before \_\_\_\_\_  
☒ To be dismissed upon entry of the judgment, Ct(s) ONE  
☒ ORDER vacate trial date/motion hearing/mtns moot  
☐ ORDER defendant remain released pending sentence ☒ remanded to USM

**SENTENCING:**

- ☒ Defendant committed to Bureau of Prisons for a period of 15 DAYS ☐ Probation/Supervised Release for \_\_\_\_\_  
☒ Special Assessment \$ REMITTED ☐ Fine \$ \_\_\_\_\_ ☐ Restitution \$ \_\_\_\_\_

Other: \_\_\_\_\_

RECORDED: CS  
BY: Angela J. Tuohy, Deputy Clerk

IN THE UNITED STATES DISTRICT COURT

*Southern*  
FOR THE DISTRICT OF ~~ARIZONA~~ *California* *ry*

United States of America,

Plaintiff,

vs.

CASE NUMBER *08-15571-M-SD*

WAIVER OF REMOVAL HEARING

*Isaac Enrique Gullen-Rodriguez*  
Defendant.

I waive my right to have a Removal Hearing and agree that my case may be  
adjudicated in the District of ~~Arizona~~ *Southern California* *ry*.

DATED this *3* day of *April*, 200*8*.

*[Signature]*  
**X**

Defendant

*[Signature]*  
Attorney for the Defendant

DATE: 3/31/2008 CASE NUMBER: 08-02223M-P-001

USA vs. Isaac Enrique Guillen-Rodriguez

U.S. MAGISTRATE JUDGE: JAY R. IRWIN #: 70BK

A.U.S. Attorney \_\_\_\_\_ INTERPRETER Ricardo Gonzalez  
LANGUAGE Spanish

Attorney for Defendant Richard L. Juarez (AFPD)

MATERIAL WITNESS(es): \_\_\_\_\_

MATERIAL WITNESS(es) state true name(s) to be: \_\_\_\_\_

Attorney for Material Witness(es): \_\_\_\_\_

DEFENDANT: ☒ PRESENT ☐ NOT PRESENT ☒ CUSTODY

DOA 3/28/08 ☒ Initial Appearance ☒ Appointment of counsel hearing held  
☐ Financial Afdvt taken ☒ Defendant Sworn ☐ Financial Afdvt sealed  
☐ Rule 5(c)(3) ☐ Defendant states true name to be \_\_\_\_\_. Further proceedings ORDERED  
in Defendant's true name.

<b>DETENTION HEARING:</b> <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Submitted <input type="checkbox"/> Reset Set for: Before: <input checked="" type="checkbox"/> Defendant ordered temporarily detained in the custody of the United States Marshal <input type="checkbox"/> Defendant ordered released _____ <input type="checkbox"/> Defendant continued detained pending trial <input type="checkbox"/> Flight risk <input type="checkbox"/> Danger	<b>IDENTITY HEARING:</b> <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Submitted <input type="checkbox"/> Reset <input type="checkbox"/> Waived Set for: Before: <input type="checkbox"/> Warrant of removal issued.
<b>PRELIMINARY HEARING:</b> <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Submitted <input type="checkbox"/> Reset <input type="checkbox"/> Waived Set for: Before: <input type="checkbox"/> Probable cause found <input type="checkbox"/> Dismissed <input type="checkbox"/> Held to answer before District Court	<b>STATUS HEARING:</b> re: <u>Plea and Sentence</u> <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Reset Set for: <u>4/3/08 at 1:00 p.m.</u> Before: <u>Magistrate Judge Irwin</u>

Other: Defense counsel orally moves for a continuance. The Government has no objection. IT IS ORDERED granting said Motion.

Recorded by Courtsmart (Status: 2 Min)  
BY: Jocelyn M. Arviso  
Deputy Clerk

UNITED STATES DISTRICT COURT

*Southern* DISTRICT OF ARIZONA CALIFORNIA

15571 M-SD

UNITED STATES OF AMERICA,

Plaintiff,

V

Isaac Enrique GUILLEN-Rodriguez

A085626913

DOB: 1972

Citizen of Mexico

Defendant

Magistrate Case No.

08-2223MP

COMPLAINT FOR VIOLATION OF

Count I

Title 18, United States Code, Section 1546

Fraud and misuse of visas, permits, and  
other documents (Felony).

Count II

Title 8, United States Code, Section 1325

Attempted Illegal Entry (Misdemeanor)

The undersigned complainant being duly sworn states:

COUNT I

That on or about, March 28, 2008, at Yuma, County, in the District of Arizona, the Defendant Isaac Enrique GUILLEN-Rodriguez, an alien, did knowingly and willfully use or attempt to use a document prescribed by statute and regulation for Entry into or as Evidence of Stay or Authorized Employment in the United States, namely an I-551, Resident Alien Card bearing the name of Isaac Enrique GUILLEN-Rodriguez, for purposes of employment in the United States, which the Defendant knew was forged, counterfeited, altered, falsely made or otherwise procured by fraud or unlawfully obtained; in violation of Title 18, United States Code, Section 1546, a Felony.

COUNT II

That on or about, March ~~26~~, 2008, at the Andrade Port of Entry, in Imperial County, within the District of California, the Defendant Isaac Enrique GUILLEN-Rodriguez, an alien, did knowingly and intentionally attempt to enter the United States by willfully false and misleading representations, in violation of Title 8 United States Code, Section 1325, a Misdemeanor.

1  
2 UNITED STATES OF AMERICA

3 V.

4 Isaac Enrique GUILLEN-Rodriguez  
5 A085626913

6 And the complainant further states that this complaint is based on the attached Statement  
7 of Facts incorporated herein by reference.  
8

9 Authorized by: AUSA Bret Alexander

10 *Bret Alexander*

11 *Arturo J. Curiel*

12 Signature of Complainant  
13 Arturo J. Curiel  
14 Special Agent, DHS/ICE

15 Sworn to before me and subscribed in my presence,

16 March 31, 2008

17 Date

at

Yuma, Arizona

City and State

18 Jay R. Irwin, U.S. Magistrate Judge

19 Name & Title of Judicial Officer

20 Signature of Judicial Officer  
21  
22  
23  
24  
25  
26  
27  
28  
29

**STATEMENT OF FACTUAL BASIS**

On March 26, 2008, Immigration and Customs Enforcement (ICE) Special Agent(s) from the Assistant Special Agent in Charge (ASAC) Yuma, Arizona Office, received information from Office personnel of the Gowan Milling Company stating that one of their employees by the name of Isaac E. GUILLEN-Rodriguez was working for their Company with a Social Security Number #601-46-3467.

The Department of Economic Security advised company personnel that the above-mentioned Social Security Number belongs to an individual name Adam Neuner.

Special Agent (SA) Curiel checked GUILLEN'S name using the TECS II System and learned that Isaac Enrique GUILLEN-Rodriguez with a date of birth 11/28/72 had a valid USA B1/B2 VISA/BCC, Document #MXT000199375 (GUILLEN'S photograph was printed out).

On March 27, 2008, SA Curiel obtained copies of GUILLEN'S personnel folder from Company personnel. Looking at the copies, a copy of an I-551, Resident Alien Card A#092-128-952 bearing the name of Isaac Enrique GUILLEN-Rodriguez with a date of birth 11/28/1972 was found. Looking at the photograph on GUILLEN'S valid USA B1/B2 VISA/BCC, SA Curiel was able to clearly determine that GUILLEN was the same person in the photograph on the I-551 that he presented to his employer.

Later, SA Curiel using the Central Index System (CIS), checked Alien Registration Number (A#), that was printed on the I-551 Resident Alien Card that GUILLEN provided to his employer and it was learned that the above mentioned A# had been previously issued to Aristeo PALACIOS-Santa Maria, Citizen of Mexico.



At this point, SA Curiel had reason to believe, due to the above-mentioned facts, that the I-551 and Social Security Card that GUILLEN provided to his employer were, in fact, forgeries.

During a post-Miranda interview, GUILLEN admitted having knowledge that the I-551 and the Social Security Card that he provided to his employer were fraudulent. GUILLEN admitted paying \$150.00 Dollars for both the I-551 and the Social Security Card to an individual known to him as "ARTURO LNU" in Algodones Baja California, Mexico.

GUILLEN admitted the last time he entered the United States from the Republic of Mexico was by using his validly issued USA B1/B2 VISA/BCC, through the Andrade, California Port of Entry on March 26, 2008. SA Curiel asked GUILLEN what was the purpose for entering the United States on the above-specified date; he stated that he had to be at work at 7:00 P.M. that evening. SA Curiel checked GUILLEN'S crossings using the TECS II System and it revealed that GUILLEN entered the United States from Mexico through the Andrade Port of Entry on March 26, 2008.



Signature of Complainant  
Arturo J. Curiel  
Special Agent, DHS/ICE

Sworn to before me and subscribed in my presence,

March 31, 2008  
Date

at

Yuma, Arizona  
City and State

Jay R. Irwin, U.S. Magistrate  
Name & Title of Judicial Officer



Signature of Judicial Officer

## **Probable Cause Statement**

I, Arturo J. Curiel declare under penalty of perjury, the following is true and correct:

On March 26, 2008, Immigration and Customs Enforcement (ICE) Special Agent(s) from the Assistant Special Agent in Charge (ASAC) Yuma, Arizona Office, received information from Office personnel of the Gowan Milling Company stating that one of their employees by the name of Isaac E. GUILLEN-Rodriguez was working for their Company with a Social Security Number #601-46-3467. The Department of Economic Security advised company personnel that the above-mentioned Social Security Number belongs to an individual name Adam Neuner.

Special Agent (SA) Curiel checked GUILLEN'S name using the TECS II System and learned that Isaac Enrique GUILLEN-Rodriguez with a date of birth 11/28/72 had a valid USA B1/B2 VISA/BCC, Document #MXT000199375 (GUILLEN'S photograph was printed out).

On March 27, 2008, SA Curiel obtained copies of GUILLEN'S personnel folder from Company personnel. Looking at the copies, a copy of an I-551, Resident Alien Card A#092-128-952 bearing the name of Isaac Enrique GUILLEN-Rodriguez with a date of birth 11/28/1972 was found. Looking at the photograph on GUILLEN'S valid USA B1/B2 VISA/BCC, SA Curiel was able to clearly determine that GUILLEN was the same person in the photograph on the I-551 that he presented to his employer.

Later, SA Curiel using the Central Index System (CIS), checked Alien Registration Number (A#), that was printed on the I-551 Resident Alien Card that GUILLEN provided to his employer and it was learned that the above

mentioned A# had been previously issued to Aristeo PALACIOS-Santa Maria, Citizen of Mexico.

At this point, SA Curiel had reason to believe, due to the above-mentioned facts, that the I-551 and Social Security Card that GUILLEN provided to his employer were, in fact, forgeries.

During a post-Miranda interview, GUILLEN admitted having knowledge that the I-551 and the Social Security Card that he provided to his employer were fraudulent. GUILLEN admitted paying \$150.00 Dollars for both the I-551 and the Social Security Card to an individual known to him as "ARTURO LNU" in Algodones Baja California, Mexico.

GUILLEN admitted the last time he entered the United States from the Republic of Mexico was by using his validly issued USA B1/B2 VISA/BCC, through the Andrade, California Port of Entry on March 26, 2008. SA Curiel asked GUILLEN what was the purpose for entering the United States on the above-specified date; he stated that he had to be at work at 7:00 P.M. that evening. SA Curiel checked GUILLEN'S crossings using the TECS II System and it revealed that GUILLEN entered the United States from Mexico through the Andrade Port of Entry on March 26, 2008.

Executed on: Date March 28, 2008 Time: 7:10 A.M.

Signed: \_\_\_\_\_



Arturo J. Curiel  
Special Agent -- DHS/ICE

Finding of Probable Cause

On the basis of the facts presented in the foregoing Probable Cause Statement, consisting of 3 page(s), I find probable cause to believe that the defendant(s) named therein committed the offence on the date March 28, 2008 in violation of Title 18, United States Code Sections 1546 and Title 8, United States Code Section 1325.

Finding Made on: Date

~~4/5/08~~ 3/29/08

Time

~~11:12 AM~~ 3:02 PM

Signed:

Jay R. Irwin

United States Magistrate Judge